

REMARKS:

In the outstanding final Office Action, claims 1-33 were rejected. Claims 1, 11, 14, 19 and 25, 27-32 have been amended. New claim 34 is added herein. Thus, claims 1-34 are pending and under consideration. No new matter has been added. The rejections are traversed below.

REJECTION UNDER 35 U.S.C. §102(e):

Claims 1-20, 23-29 and 31-33 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,377,938 (Block).

Block maintains information related to charges for various types of services, such as, charges related to taxes, flat rates, etc. (see, column 6, lines 37-43), and executes a billing process at call initiating subscriber's location or call receiving subscriber's location (see, col. 5, lines 20-31). The billing process includes calculating call charges of a call and updating a subscriber's account with flat charges, such as rental fees and taxes (see, col. 7, lines 56-67 through col. 8, line 6). For example, when subscriber A makes a call to subscriber B, a detector/decoder detects information such as subscriber number, the called number, start time of the call, etc., and provides the same to a processor for executing the billing process (see, col. 8, lines 14-23). That is, Block is limited to a billing process that calculates call charges and flat or reoccurring charges upon initiation by a subscriber's call.

The present invention processes pricing as part of, or independent of, a billing process. That is, the present invention executes pricing of events as the events occur (i.e., without waiting for a particular billing initiation event to occur), thereby making an up-to-date balance of charges available to a user.

Independent claims 1, 11, 14, 19 and 25-32 as amended recite, an event pricing system and process for "a system initiated and created non-usage event[s] independent of user initiated events" including "pricing the system-created non-usage events and/or the non-system-created events independent of a billing process" (claims 1, 25, 28 and 31), "pricing the non-usage events independent of a billing process that includes the user initiated events" (claims 27 and 32) and "the pricing includes pricing the non-usage event independent of a billing process that includes a non-system-created event" (claim 11 and 19) ("independent of a billing process" in claim 29).

Independent claim 14 recites, "all available system initiated and created non-usage events independent of user initiated events for a current billing period are priced at a first opportunity after a prior billing period that includes non-system-created events ends", and independent claim 33 recites that the present invention includes, "executing the real-time calculation of the bill each time an event independent of a user's initiation occurs", where the

processing of the real-time calculation of the bill is "independent of a billing process having an event responsive to the user's initiation".

This is unlike the Block billing process that calculates call charges and flat or reoccurring charges upon initiation of a bill by a subscriber.

It is submitted that the independent claims 1, 11, 14, 19 and 25-33 are patentable over Block.

For at least the above-mentioned reasons, claims depending from independent claims 1, 11, 14, 19 and 25-33 are patentably distinguishable over Block. The dependent claims are also independently patentable. For example, as recited in claim 10, "said pricing process performs real-time recalculation of a charge for any unbilled event when information in the system which impact the charge has changed". Block does not teach or suggest, performing "real-time recalculation of a charge for any unbilled event when information in the system which impact the charge has changed", as recited in claim 10.

Therefore, withdrawal of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 103(a):

Claim 30 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Block, claims 21 and 22 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Block in view of U.S. Patent No. 6,058,170 (Jagadish).

The Jagadish summary information is stored in a summary database that is updated in real-time as calls are placed (see, column 3, lines 42-58). Similar to Block, Jagadish updates the information when initiated by calls.

Independent claim 30 recites that the present invention includes, "storing events in a message queue, the events being system initiated and created non-usage events, usage events, one time events, and summary events" and "delivering the events in the message queue to a pricing process as they become available, the delivered events including events independent of user initiated events". The combination of Block and Jagadish does not teach or suggest, "delivering the events in the message queue to a pricing process as they become available, the delivered events including events independent of user initiated events", as recited in claim 30.

For at least the above-mentioned reasons, claims 21 and 22 depending from independent claim 19 are patentably distinguishable over Block. Claims 21 and 22 recite an event pricing process where system initiated and created events are created according to "a schedule in the system" (claim 21) and "based on subscription information available in the system" (claim 22).

Therefore, withdrawal of the rejection is respectfully requested.

NEW CLAIM:

New claim 34 is added to emphasize that present invention includes, "determining whether a non-usage event independent of a user initiated event and a usage event initiated by a user are available for pricing" and "executing the pricing for the non-usage event and the usage event based on determination of availability for pricing", where "the non-usage event is available for pricing at a first billing period and the usage event is available for pricing at a second billing period".

It is respectfully submitted that new claim 34 is patentably distinguishable over the cited references that execute a billing process based on a user's request for a service(s).

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

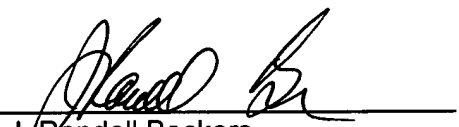
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with the filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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